

**INSTRUCTIONS FOR
SELECTION OF EARLY NEUTRAL EVALUATOR AND
ARRANGEMENTS FOR THE ENE SESSION**

LCvR16.3 Supp. § 4.2 (b) Scheduling the Session and Selecting the Evaluator. At the status and scheduling conference or as soon as practical after referral and as the Court may direct, parties are given a list of evaluators with subject matter expertise to select an evaluator of their choice (who appear to have no apparent conflict with the case), schedule the evaluation session within the time ordered by the Court and file the Selection and Order Form with the Court Clerk. The ADR Staff is available to assist with scheduling if requested by the parties. If no selection is timely made or if the parties cannot agree upon the evaluator, the ADR Staff shall make the selection and set the time and place of the session.

(c) **Location of Evaluation Session.** Evaluation sessions may be held in any suitable location, considering convenience and cost, agreeable to the evaluator and the parties. If there is no agreement on location, it shall be held in the courthouse.

- You will be provided a list of approved evaluators indicating their areas of expertise. Obviously, please do not select someone who appears to have an outright conflict (e.g. same firm as yours). Also, please be aware that your first agreed choice may not be available for this case due to deadlines or pressures in his or her own practice, but could serve again in the future. Be ready to make a second choice.
- Counsel are to agree on a choice for evaluator. If you are interested in someone that does not appear on the list, please contact the ADR Administrator.
- Selection and arrangements for the ENE session are to be made by counsel with the prospective evaluator and then set forth on the enclosed Selection and Order form and promptly returned to the Court Clerk's Office (attention ADR staff) **within 10 days of the Order of Referral** or as otherwise authorized by the Court.
- All information concerning the name and address of the evaluator, the date, time and place for the session is to be included so that the Order Appointing the Early Neutral Evaluator and Setting the ENE Session can promptly be issued.
- Additional information concerning the early neutral evaluators , i.e. resumes, fee schedules, etc., is available in the Early Neutral Evaluator Book/File available in the Court Clerk's office. Counsel may discuss fees with prospective evaluators when making arrangements for the ENE session. Please ask for the ADR staff if you need any assistance.
- **NEW. We are asking counsel to submit appropriate and relevant pleadings (e.g. Complaint, Answer, Status Reports, Briefs, etc.) to your evaluator shortly after your joint**

selection.